IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI

THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION No. 7730 of 2005

Between:

1. Talagana Ramana Rao S/o.Late Punnayya
R/o.Yenniramannapeta Village, Kotturu Mandal, Srikakulam District.
2. Garuku Pentayya S/o.Late Jaggayya
R/o.Yenniramannapeta Village, Kotturu Mandal, Srikakulam District.

..... PETITIONERS

AND

1. The General Manager Industries Department, Srikakulam, Srikakulam District.
2. The District and Medical Health Officer, Industries Department, Srikakulam, Srikakulam District.
3. The Inspector of Pollution, Pollution Control Board,
Vizianagaram, Vizianagaram District.
4. Vysyaraju Hemalatha, Wife of Muthyala Raj,
R/o.Kummara Veedhi, Kotturu Village, Kotturu Mandal, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly a writ in the nature of Writ of Mandamus declaring the action of the respondents 1 to 3 in not stopping the construction of the rice mill and jute pressing unit in Yenniramannapeta Village, Kotturu Mandal, Srikakulam District as illegal and arbitrary and consequently direct the respondents herein to stop the construction and opening of the rice mill of the 4th respondent forthwith and to pass such other order orders.

Counsel for the Petitioner: Mr. A.RAVI SHANKAR

Counsel for Respondent Nos. 1 & 2: GP FOR MEDICAL HEALTH &
FAMILY WELFARE

Counsel for Respondent No.3: Mr. S.V.Bhatt

SC for A.P. P.C.B.

Counsel for Respondent No.4: ----------

The Court at the stage of admission made the following :

ORAL ORDER:

(per Honourable Sri Bilal Nazki, the Acting Chief Justice)

This writ petition was filed seeking a direction that respondent No.4 should not be allowed to construct and operate Rice Mill as it would cause pollution.

The Standing Counsel for the Pollution Control Board submits that the Board had taken up the matter and had issued a show cause notice to respondent No.4 on 17-4-2005, and in the meantime, she had been asked to stop construction of the Rice Mill. As such, the writ petition has become infructuous and is accordingly dismissed.

BILAL NAZKI, ACJ.

5.7.2005.

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G.CHANDRAIAH, J.

ARS

To

1.The General Manager, Industries Department, Srikakulam, Srikakulam District.
2. The District and Medical Health Officer, Industries Department, Srikakulam, Srikakulam District.
3. The Inspector of Pollution, Pollution Control Board, Vizianagaram, Vizianagaram District.
4. Two CCs to Government Pleader for Medical Health and Family Welfare, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.